

**IN THE UNITED STATES DISTRICT COURT  
FOR THE NORTHERN DISTRICT OF TEXAS  
DALLAS DIVISION**

**HANANECHEDDADI SAFI,**

§

**Plaintiff,**

§

**v.**

**CIVIL ACTION NO. 3:21-cv-00894**

**CENTRAL MARKET - HEB,**

§

**Defendant.**

§

**NOTICE OF REMOVAL**

Defendant HEB Grocery Company, L.P. (“HEB”), incorrectly named as Central Market – HEB, files this Notice of Removal for purposes of removing this suit to the United States District Court for the Northern District of Texas, Dallas Division, and states:

**I.**

**STATE COURT ACTION**

On November 9, 2020, Plaintiff Hanane Cheddadi Safi (“Plaintiff”) filed an action styled *Hanane Cheddadi Safi v. Central Market - HEB*, Cause No. DC-20-16679, in the 95th Judicial District Court, Dallas County, Texas (the “State Court Action”). Plaintiff’s Original Position (“Petition”) is her live pleading. In the State Court Action, Plaintiff has pleaded three causes of action against HEB: (1) violation of the “Pregnancy Discrimination Act Title 7 of the Civil Rights Act”; (2) violation of the “Texas Commission of Human Rights Act” (“TCHRA”); and (3) “[r]etaliation under Texas Labor code 21” (“Chapter 21”). [Petition ¶ 5.] She seeks “monetary damages and legal fees.” [Petition ¶ 7.]

## II.

### **JURISDICTION**

1. This Court has federal question jurisdiction pursuant to 28 U.S.C. § 1331.<sup>1</sup> In particular, Plaintiff has pleaded a cause of action against HEB for discrimination “because of her sex-female (pregnancy), in violation of Title VII of the Civil Rights Act of 1964, as amended.” [Petition ¶ 5.] Accordingly, this is a “civil action[ ] arising under the Constitution, laws, or treaties of the United States.” 28 U.S. Code § 1331. The Court has supplemental jurisdiction over Plaintiff’s TCHRA and Chapter 21 claims because they are “so related to the claim[ ] in the action within [the Court’s] original jurisdiction that they form part of the same case or controversy under Article III of the United States Constitution.” *Id.* § 1337(a).

## III.

### **REMOVAL IS TIMELY**

2. HEB files this Notice of Removal within thirty days of having received a copy of the Petition, and is therefore timely pursuant to 28 U.S.C. § 1446(b).

## IV.

### **VENUE**

3. The State Court Action was filed in Dallas County, Texas, and is therefore removable to this District and Division pursuant to 28 U.S.C. § 1441(a). Venue is independently proper in this District and Division pursuant to 28 U.S.C. § 1331(b)(2) because all or a substantial part of the events or omissions alleged to give rise to Plaintiff’s claims occurred in Dallas County, Texas. [Petition ¶ 3.]

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<sup>1</sup> Notwithstanding the filing of this Notice of Removal, all of Plaintiff’s claims are subject to a valid and binding arbitration agreement, and HEB specifically reserves its right to compel arbitration.

V.

**OTHER PROCEDURAL REQUISITES**

4. Pursuant to Local Rule 81.1, an index of the documents filed in the State Court Action, the Docket Sheet in the State Court Action, and copies of all documents filed in the State Court Action are attached to this Notice of Removal as Exhibit A. HEB's Certificate of Interested Persons and Corporate Disclosure Statement will be filed separately. A copy of this Notice of Removal is also being filed with the Clerk of the 95th Judicial District Court of Dallas County, Texas in which the State Court Action was filed.

VI.

**RELIEF REQUESTED**

HEB respectfully requests that the United States District Court for the Northern District of Texas, Dallas Division, accept this Notice of Removal, and that it assume jurisdiction of this case and grant all other relief, general or special, at law or in equity, to which HEB may be justly entitled.

Respectfully submitted,

By: /s/ Jana S. Baker  
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**ATTORNEYS FOR DEFENDANT HEB  
GROCERY COMPANY, L.P.**

**CERTIFICATE OF SERVICE**

I hereby certify that on this 19th day of April, 2021, a true and correct copy of the foregoing document was both electronically transmitted to the Clerk of Court using the ECF system of filing, which will transmit a Notice of Electronic Filing to Plaintiff or her counsel of record, and emailed to Plaintiff at cheddadi.hanane@gmail.com.

*/s/ Jana S. Baker*

Jana S. Baker

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